

Police Accountability and Legitimacy Group (PALG)

Police Headquarters

03 December 2019

MINUTES

Attendees

Police and Crime Commissioner's Team

Lee Jones - Chair (LJ)	Chief Executive (Interim)
Hannah Jenkins-Jones (HJJ)	Strategic Lead for Scrutiny, Assurance and Equality
Sarah Mahon (SM)	Engagement and Assurance Officer
Cerys Parker (CP)	Admin Support Officer
Nia Scourfield (NS)	Governance Support Officer
Jackie Trow (JT)	Strategic Lead for Quality, Standards and Compliance

South Wales Police

Chief Insepector Karl Eenmaa	Head of Information Management
Ian James	Operational Trainer
Martyn Jones	Equality and Inclusion Manager
Leigh Ratti	Operational Trainer
Superintendent Martyn Stone	

PALG Members

Alex Drummond (AD)	Independent Advisor
Steve Bartley (SB)	Older People Wales
Helen Gardiner (HG)	THRIVE Women's Aid
Jasmine Jones (JJ)	Gypsy Traveller Wales
Tony Hendrickson (TH)	EYST
Martin Smidman (MS)	Welsh Refugee Council
Judith Major (JM)	Hafal
Joe Powell (JP)	All Wales People First
Holly Taylor (HT)	Welsh Refugee Council

Graeme Johnson

HMIC

1. Minutes and Actions

The minutes from the previous meeting were agreed as a true record.

Action	Description	Update
1	Commissioner's team to consider how coercive control could be included in the delivery of the older people objective in the Joint Equality Plan.	HJJ informed the group that the Joint Equality Plan would shortly be launched and this would be incorporated as part of the older people objective. HJJ would work with the Public Protection Department to ensure it was addressed.
2	Commissioner's team to consider developing accessible formats of stop and search information for the public.	SM advised that following the feedback gathered from the stop and search workshops and survey, an animation would be developed.

3	Develop Section 60 briefings for PCSO to utilise in the community.	MS advised that the Learning and Development department were currently looking into how this could be developed.
4	Share Independent Advisor proposals with PALG members.	LJ and HJJ advised that once terms of reference and role profiles were finalised, this would be shared with the group.

2. Use of Force

LJ invited KE to provide an overview of South Wales Police’s use of force tactics. KE explained that every time use of force was applied on an individual, an electronic form capturing the rationale and justification of force, needed to be submitted by an officer. JR noted that South Wales Police were one of the best forces in the country for submission of use of force forms. This process was in place to ensure that the force were open and transparent on how use of force was applied. An example of the electronic form was presented to PALG members for information.

JM asked whether officers were able to record the level of vulnerability on use of force forms for individuals that were known to them. KE confirmed that there were fields included in the form for this information to be recorded.

JR and IJ referred to the range of tactics that were available to officers to use and demonstrated use of force techniques. These included, Taser, handcuffs, spit guard, baton, PAVA spray and tactical communication skills. JR noted that the visibility of a Taser worn by officers was often a deterrent alone. However, if a Taser was drawn and not used, this would still need to be captured on a use of force form. The group were interested in understanding how many officers were Taser trained and how many Tasers had been drawn compared to used. KE advised that this information could be provided and would be shared with the Hannah Jenkins-Jones in the Commissioner’s team.

SB asked whether officer’s confidence in using a Taser had been impacted following the recent incident of an individual’s death, which involved the use of a Taser. KE advised that following this case the College of Policing had contacted all forces in the UK to confirm that there were no changes to Taser training. This indicated that use of Taser was justifiable and that there may have been other contributing factors to the individual’s death. MS noted that the Taser was a less aggressive method and caused less injury than some other use of force tactics. KE noted that body worn video was also an added reassurance for officers.

The group discussed the prioritisation of force tactics and queried whether there was an escalation of tactics that officers followed when faced with a threat. JR informed the group that the force adhered to the ‘national decision model’, which was a framework aimed at making the decision making process easier and consistent. All officers received training on how to apply this model into practice. KE added that an officer’s decision on appropriate use of force tactics was based on the officer’s perception of the threat they were faced with. The use of force form would then aim to capture the evidence base of how the decision was reasonable, justifiable and proportionate.

HJJ noted that as part of the Commissioner’s quality assurance exercises, they recently looked at body worn videos of use of force incidents. One of the videos involved an individual who had self-harmed. HJJ was interested in knowing what training officers received in relation to responding to incidents such as this. KE referred to the national decision model and advised that if a vulnerable individual was not willing to comply with instructions and communication tactics, then appropriate use of force would be considered as a last resort. Police officers main

aim was to preserve life. If force was necessary in order to save a vulnerable individual and prevent harm to others, then a reasonable and justified approach would be applied.

HT queried how officers would apply their tactical communication techniques in instances where individuals did not speak English as a first language. KE advised that officers received training in tactical communication, which included gauging threat based on body language. AD highlighted the sensitivity amongst cultures who perceived the police negatively based on the experiences of police culture in their home countries. The group discussed the fears that some immigrants may have of reporting to the police, particularly when there appeared to be confusion between the distinction of border force and police officer roles.

JM asked whether service user feedback was captured by the force. KE advised that he wasn't aware of any instances where this had happened. JM suggested that it would be powerful to understand an individual's perspective on how the use of force was applied and reflecting on the experience. KE suggested that this could potentially be explored in the future.

KE provided an overview of the statistics of use of force between July - September 2019/20. KE noted that of the 43,788 incidents deployed, 36 (1%) of complaints were received. LR added that the majority of complaints in relation to use of force were relating to handcuffs being applied too tightly. KE advised that that during this period, tactical communication was the most used use of force tactic. This was followed by compliant handcuffing. Alcohol and drugs were the biggest contributing factors to use of force and the majority of force was used on males. A detailed breakdown of age, gender and ethnicity was presented to the group.

SB noted that there appeared to be a high number of children who had force used on them. HJJ also queried the disproportionality of force used against black individuals. This appeared to be proportionally higher than stop and search rates. The group recommended that it would be useful to further interrogate the data in order to understand the varying force tactics used against different age groups and minority ethnic groups. MJ advised that South Wales Polices' Equality, Diversity and Inclusion team would be interrogating this information, to further understand this. MJ also informed the group that the force were looking into what happens when racially orientated calls were received into the Public Service Centre.

HT reiterated the importance of tackling language and culture, particularly if communication was used as the most frequent tactic. De-escalating an incident with an individual who cannot speak English would be extremely difficult. HT suggested that this could be why a high number of black people were having force used against them and resulting in no further action.

AD queried whether there was any intelligence which indicated the impact of deploying a white or black police officer to incidents where the ethnicity of an individual was known. AD noted that it was important to learn from best practice and community perception to reduce disproportionality. The group agreed that a representative workforce would also help with overcoming some of the barriers discussed.

KE shared a use of force body worn video clip from September 2019. The video clip involved an ethnic minority individual who could not speak English. HJJ queried how officers were able to assess if an individual who could not speak English had any injuries/concerns that were unknown to them. KE advised that detainees would be assessed at point of custody and that the language line process could also be applied once a detainee was in custody. AD suggested that it would be useful to translate what the individual in the body worn video was saying, in order to improve understanding and learning going forward.

Commissioner's Quality Assurance Report

HJJ informed the group that the Commissioner's team had completed a dip sampling exercise of use of force-related 'body worn video' footage. For this process, 10 randomly-selected videos were selected. The key points considered during the exercise were whether the use of force appeared to be used proportionately, fairly and justifiably.

HJJ noted that all officers were considered to have demonstrated fair and appropriate behaviour. In the cases where individuals had been self-harming or at risk of self-harming, officers were sensitive in their approach. Of the 10 videos reviewed, the occurrences were also looked at on NICHE to identify whether use of forms had been completed. HJJ noted that use of force forms had been submitted in just 6 out of the 10 cases

HJJ advised that the Commissioner's team would be conducting quality assurance exercises regularly and that she would like to involve PALG members to be part of viewing footage and providing feedback.

ACTION – Karl Eenmma to provide breakdown of the number of officers who were Taser trained and the comparison of number of Tasers drawn versus used to Hannah Jenkins-Jones.

ACTION – A breakdown of use of force data, including use of force categories and offence type to be shared with the Commissioner's team.

3. Update from the Commissioner's team

HJJ informed the group that the Commissioner's team intended to recruit independent members in the New Year. Terms of reference and role profiles were currently being drafted. HJJ and LJ hoped that broadening the membership to include independent members would increase the diversity and representation amongst the group.

HJJ informed the group that the Commissioner's team would be facilitating a stop and search workshop with young people in partnership with Race Equality First. The aim of the engagement would be understand the perceptions and experience of young people. An online survey would also be launched in the New Year. HJJ asked for PALG's support in promoting and targeting the survey.

Action Table

Action	Description	Update
1	Provide breakdown of the number of officers who were Taser trained and the comparison of number of Tasers drawn versus used.	Karl Eenmaa
2	A breakdown of use of force data, including use of force categories and offence type to be shared with the Commissioner's team.	Karl Eenmaa